



COMMUNITY DEVELOPMENT DEPARTMENT

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PLANNING COMMISSION MEETING MINUTES

REGULAR MEETING

MARCH 8, 2005

PRESENT: Acevedo, Escobar, Koepp-Baker, Lyle, Mueller, Weston

ABSENT: Benich

LATE: None

STAFF: Planning Manager (PM) Rowe, Senior Engineer (SE) Creer, Senior Planner (SP) Linder, and Minutes Clerk Johnson

Chair Weston called the meeting to order at 7:05 p.m., and led the flag salute.

DECLARATION OF POSTING OF AGENDA

Minutes Clerk Johnson certified that the meeting's agenda was duly noticed and posted in accordance with Government Code Section 54954.2.

OPPORTUNITY FOR PUBLIC COMMENT

Chair Weston opened the public hearing.

Chair Weston said he realized what he was about to reference was at issue with the recommendation made by Staff: An applicant who spoke with the Commissioners during the meeting of March 1, 2005 had indicated that a certain number of units was needed for the application to be deemed feasible. Chair Weston noticed that the applicant had declared that the number of units which were absolutely necessary was due to the high cost of on/off site improvements that were required, yet no documentation for that thesis was offered. "I'm bringing this up," Chair Weston explained, "because I want to suggest that in the future, justification be given for support of particular statements."

Commissioner Lyle pointed out that when Staff is putting together the Development Agreements, there is pro ration of the improvement costs.

Chair Weston said that is not made clear. "I actually thought it would be better to reduce some of the number of the units as the presentation was made, and due to the fact that it was not clear."

PM Rowe noted this was an unusual year for the allocation process and that had been due to the scheduling restraints of Measure C. "There was no opportunity to continue to clarify issues

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Noting that none present indicated a wish to address the Commissioners on items not appearing on the agenda, Chair Weston closed the opportunity for public comment.

MINUTES

FEBRUARY 22,
2005

COMMISSIONERS ESCOBAR/MUELLER MOTIONED TO APPROVE THE FEBRUARY 22, 2005 MINUTES, WITH THE FOLLOWING MODIFICATIONS:

Pages 3/4, last and beginning paragraphs (add at end): *Commissioner Mueller restated the discussion as follows: early dedication of the Castro property would be an important benefit to the City because it would allow (this applicant) to complete the widening of Hill Road - at the beginning of construction for this application – and would therefore eliminate a safety issue.*

Page 4, paragraph 8: March (3)1, 2006

Page 9, paragraph 8: limit the site size of monument signs

THE MOTION CARRIED WITH THE FOLLOWING VOTE: AYES: ACEVEDO, ESCOBAR, KOEPP-BAKER, LYLE, MUELLER, WESTON; NOES: NONE; ABSTAIN: NONE; ABSENT: BENICH.

PM Rowe advised the Commissioners that information for agenda item 2 was incomplete and that it should be continued, and also recommended that the item be considered first in the evening's agenda.

Commissioner Lyle was excused at 7:11 p.m. for the next agenda item, due to the potential for conflict of interest, as he lives nearby the subject property.

BY CONSENSUS, THE COMMISSIONERS ACCEPTED THE RECOMMENDATION FOR CONSIDERATION OF THE MATTER OF ZAA-04-01/SD-04-16/DA-04-08: TILTON-GLENROCK AT THE BEGINNING OF THE MEETING.

OLD BUSINESS:

2) ZAA-04-01/
SD-04-16/
DA-04-08:
TILTON-
GLENROCK

This is a request for approval of a precise development plan for the remaining 18 acre area within the Capriano subdivision located on the south side of Tilton Ave., east of Hale Ave.; also requested is the approval of a 42-lot subdivision and development agreement.

“At the February 8, 2004 meeting of the Planning Commission, specific directions were given to the applicant regarding information and design expectations for the proposed precise development plan,” SP Linder explained, as she provided the staff report. “The plans received in the Planning Department on February were incomplete and lacked the specific information requested by the Planning Commission at the February 8 meeting. The applicant will need additional time to provide adequate plans which comply with the Commission’s direction.” SP Linder explained that Staff has been working with the applicant and he is still trying to complete the application and comply with the directions given by the Commissioners, but has ‘not quite’ accomplished the goal. Consequently, SP Linder advised that the recommendation of Staff is for continuation.

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Chair Weston opened the public hearing.

No persons in the audience indicated a wish to speak to the matter, **COMMISSIONER MUELLER MOTIONED TO CONTINUE THE MATTER OF ZAA-04-01/SD-04-16/DA-04-08: TILTON-GLENROCK TO THE PLANNING COMMISSION MEETING OF MARCH 22, 2005. COMMISSIONER ACEVEDO SECONDED THE MOTION, WHICH PASSED WITH THE UNANIMOUS AFFIRMATIVE VOTE OF ALL COMMISSIONERS PRESENT; BENICH AND LYLE WERE ABSENT.**

Commissioner Lyle returned to the meeting at 7:12 p.m. and was seated on the dais.

The regular order of business was resumed.

1) UPA-97-08: A request to amend the conditional use permit approval for the Oakwood Country School allowing for an increase in student population and expansion of the campus to include a high school curriculum. The proposed amendment request revises the layout for the high school facility expansion as approved by the Planning Commission in May 2004. The subject site is approximately 22.7 acres and is located on the north side of John Wilson Way, west of Monterey Rd., in a RE(100,000) zoning district.

**JOHN WILSON-
OAKWOOD
COUNTRY
SCHOOL**

SP Linder presented the staff report change, noting that the current school had been approved at a Commission hearing in May, 2004. This request for expansion of facilities would add buildings and increase the total square footage. The number of enrollees would not be affected, and the same grade levels would be retained, SP Linder reported; in actuality, the site plans reveal limited changes, but do include notation of portable buildings to be used for classrooms until the completion of the permanent buildings.

SP Linder further stated that Staff had reevaluated the application approved in 2004 in regard to the environmental statements, with the findings still valid. She advised that the revised site plan contains the same number of buildings, and the increased square footage is accounted for with the increase in building size. The applicants indicate the new plan will better meet the long term goals of the school. SP Linder called attention that the names of the buildings have also been changed: the high school gym replaces the multi-purpose room and the theater becomes the performing arts center. Also, she said, the layout has changed: the high school classroom will be located behind the elementary classrooms. There will be a transition, however, with the elementary buildings remaining in place and the high school located in portable classrooms until the new classrooms/science building is completed, these being part of the phase 1 improvements. SP Linder reminded that like the first application, this one is phased, with a 95-stall student lot to be part of phase 2, along with the performing arts center, gym, sports fields, and new administration buildings.

The entrance to the site will continue to have one driveway, and as for circulation issues, the student parking lot is planned for change from John Wilson Way, SP Linder informed. As for the site itself, she said, the same amount of space would be utilized, but with different buildings and a different configuration for ingress, egress, and parking, with the site having adequate space for the proposed changes. Parts of the changes in the circulation element indicate that the former parking area is now planned for soccer fields.

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SP Linder advised that because the adjacent owners had raised issues during the hearing of 2004 with concerns of increased traffic, congregation of students, and the use of John Wilson Way for a turnaround, the Planning Commissioners had conditioned the Use Permit with a temporary turnaround. Staff is recommending the retention of that requirement.

SP Linder said the amended site plan indicates a 'long dead-end of parking', which was also present in the first application. Staff and the school officials recognized the need for a secondary access. Consequently, the plan has now been revised and there will be an emergency drive to John Wilson Way. Planning Staff has indicated the importance of a secondary exit to another street and recommended to the school officials the need to work with the Water District to secure the right-of-way for that purpose.

SP Linder noted several issues which had been investigated:

- the traffic report of the first application; the same mitigation measures still apply and there are no significant changes
- general welfare of the neighborhood: perceived concerns with changes will actually provide less conflict
- compatibility with joining uses: there will be no changes, so this is not a relevant issue
- the school lists the times of events, and the elements of those events, e.g., PA systems and lighting do not pose a significant problem

The area is in the 100-year flood plain, SP Linder noted, and the plan for storm water detention space in the channel behind the school is being negotiated with the Santa Clara Water District. School officials have told the City that in lieu of that availability, there is a plan to use the ball fields for flood control.

Commissioner Lyle called attention to the matter of circulation, with emphasis on the traffic analysis. "When you look at the projected *slow student build-up* and the corresponding condition in the Mitigated Negative Declaration, an evaluation will tell the differences in the numbers. I think we should postpone or develop a mechanism for conducting *periodic counts and analyses* until full capacity is reached," Commissioner Lyle declared.

SP Linder pointed out that the Commissioners are not being asked to adopt a new negative declaration and if they so choose, could put in a condition of the Use Permit to have a traffic evaluation triggered at a 'given point'. Discussion was had regarding having a traffic evaluation linked to years of operation and/or numbers of student enrollment.

Commissioner Lyle continued by noticing the need for a secondary access to another road (this is, however, a condition in the Resolution that have already been added). Commissioner Lyle was adamant that the proposed language should be strengthened.

Chair Weston asked clarification, related to the overall site plan, of an A-1 fire truck access. SP Linder explained that is for emergency access and that the students would not use the secondary route; it is for emergency access only.

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PM Rowe advised that more often the secondary access is used for emergency evacuation Purposes, because the primary access would be blocked by emergency apparatus.

Chair Weston opened the public hearing.

Scott Schilling, 16060 Caputo Dr. #160, was present to represent the applicant, and clarified that the secondary access road has the width of a two-lane road. Mr. Schilling told Commissioners that the owners had wanted to come, but a family matter prevented attendance. He introduced Cathy Vivian, who is with the school.

Mr. Schilling addressed several issues, including:

- how best to deal with elementary and high school student needs for space
- maintaining the high school and elementary as separate entities on the site
- the new high school was designed specifically for high school students in order not to have to transition elementary students into different buildings and back again
- the parking lots locations and access to those lots

Mr. Schilling asked for consideration from the Commissioners to allow the applicant to complete certain improvements in phase 2 (cul-de-sac) while dedicating the property in phase 1. Mr. Schilling explained that the planned cul-de-sac is shown on the plans as a temporary turnaround.

Commissioner Lyle asked how many years difference between phases 1 and 2? Mr. Schilling responded that would be difficult to gauge. He did inform that he has met with a neighbor who is unhappy with the continued turnaround on his land.

Chair Weston asked for clarification of the location of the new fire hydrant in phase 1, with Mr. Schilling responding, and also providing information regarding the relocating of the existing hydrant, telling Commissioners the hydrants must be a minimum of 40 feet away from the buildings for proper pressure. Chair Weston indicated that it appears the portables buildings are located on top of the hydrant. Mr. Schilling assured that it will be studied and addressed as necessary in the final grading plan.

Chair Weston commented that the current landscaping is a 'wonderfully executed project' and suggested that minimal, yet environmental friendly landscaping be continued.

Mr. Schilling said the project will be examined by the Architectural Review Board, while explaining that the owners plan to continue with maintaining the style of the buildings and landscaping to carry the same theme throughout.

Chair Weston asked about negotiations with the Water District. Mr. Schilling explained that the existing channel has been dug out and now there are on-going negotiations to purchase additional space to detain additional storm water run-off from the site.

Discussion ensued regarding the number of current and potential students and locations from which they may travel. Mr. Schilling said it is anticipated many of the older students will come from other areas in the region, as he explained why the building

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requirements are larger and require a greater monetary obligation. "Therefore," he said,

"the school will have to draw from more than existing families. They must pull students from other areas."

Commissioner Escobar asked, regarding the performing arts center and ball fields, if there might be use of these by outside organizations? Mr. Schilling explained that is the case now, as with the Relay of Life, and other events might possibly be held occasionally. Commissioner Escobar then asked if any thought had been given to the impact of those events with use on the ball fields, theater arts, particularly considering increased traffic. Mr. Schilling said the events are generally not held in peak hours. He asked the Commissioners to remember that the Use Permit is reviewed annually and could be called up if concerns were presented.

Janis Ross, 15345 Monterey Road, told Commissioners she was present to represent her mother, Anna Specht, who lives on Monterey Road behind the proposed high school. Ms. Ross iterated concerns with possible flooding and detailed for the Commissioners the location of the property being referenced. Ms. Ross talked about deepening the channel, and noted this was a 'different water year'. Ms. Ross told Commissioners that traffic concerns were minimal compared to those of the flood issue.

Mr. Schilling said that the entire setting where Ms. Ross' mother lives, as well as the high school, is in a flood plain on the current flood maps, and acknowledged that the property might be flooded in the event of a 100-year flood. He explained the lot line adjustment and the work that is being done as part of the improvements. Mr. Schilling commented that if PL 566 is completed, the flooding concerns will be alleviated.

Commissioners discussed with Mr. Schilling and Ms. Ross the implications of the flood potential, and the intended use for the drainage sequestering in the ball fields, which can hold a large amount of water

Commissioner Mueller asked about the drainage pattern. [One channels to the west; the other to John Wilson Way]

Mr. Schilling noted that the school cannot legally release more drainage than permitted. He stated that he thought the plan as presented will improve drainage/flooding issues on the exiting home of Ms. Ross' mother during storm conditions.

With no others indicating a wish to address the matter, the public hearing was closed.

Commissioner Mueller informed that he had a conversation with Mr. Helvey, the applicant, earlier this week, with his interest being the intersection at John Wilson Way and Monterey Road:. A request is being made for a left-turn signal onto Monterey Road at that location.

SE Creer assured that the Public Works Department has looked at the area, and believes that such an installation might make traffic flow less efficient. He detailed potential traffic back-log if that occurred. "We have looked at the intersection and made modifications to the traffic signal timing changes," SE Creer explained.

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COMMISSIONER MUELLER OFFERED RESOLUTION NO. 05-18, INCLUDING THE FINDINGS AND CONDITIONS THEREIN, APPROVING A CONDITIONAL USE PERMIT AMENDMENT TO ALLOW THE EXPANSION OF A PRIVATE SCHOOL LOCATED AT 105 JOHN WILSON WAY IN THE RE(100,000) ZONING DISTRICT, TO INCLUDE HIGH SCHOOL FACILITIES AND INCREASED ENROLLMENT FOR UP TO A MAXIMUM OF 776 STUDENTS, AND WITH A MODIFICATION PROVIDING FOR THE REMOVAL OF THE CONDITION OF A TEMPORARY TRAFFIC 'TURN-AROUND'.

The Commissioners discussed the potential need for a traffic evaluation. Commissioner Lyle suggested adding **G8 TO THE RESOLUTION: REQUIRING A TRAFFIC STUDY AFTER ENROLLMENT HAS INCREASED BY ADDING 100 STUDENTS TO THE HIGH SCHOOL, AND FOR EVERY 100 STUDENTS ADDED THEREAFTER. BY CONSENSUS, THIS WAS AGREEABLE TO ALL COMMISSIONERS PRESENT; BENICH WAS ABSENT.**

COMMISSIONER ESCOBAR OFFERED A SECOND TO THE MOTION, WHICH PASSED WITH THE FOLLOWING VOTE: AYES: ACEVEDO, ESCOBAR, KOEPP-BAKER, LYLE, MUELLER, WESTON; NOES: NONE; ABSTAIN: NONE; ABSENT: BENICH.

ANNOUNCEMENTS: PM Rowe advised that at the March 2, 2005 City Council meeting two ordinances were introduced resultant from recommendations by the Commissioners: Revised standards for fence heights (increased heights and stipulation of materials at the tops of the fences); and provisions for keeping of animals (up to two large animals per acre and corral setbacks).

Commissioner Acevedo referenced a recent news article that stated that the City Council wanted to establish a deadline for the Creeks/Streams Work Plan. The article seemed to imply the Plan had to go to the City Council by April. PM Rowe clarified that the Community Development Director is working on the matter. Commissioner Mueller commented that the actual goal is for the Planning Commission to develop a work plan for next year, but it is not to be limited to creeks and streams. PM Rowe indicated he will report further at a future meeting.

ADJOURNMENT: Noting that there was no further business to be heard by the Commissioners, Chair Weston adjourned the meeting at 8:12 p.m.

MINUTES RECORDED AND PREPARED BY:

JUDI H. JOHNSON, Minutes Clerk